IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO : 19133 of 2004

Between:

Goud Caste Sangam rep. by its General Secretary Maturi Mogili Goud, Budidigadda Basti, Bellampally, Adilabad District

..... PETITIONER

AND

1 The Superintendent Excise& Prohibition
Adilabad.
2 Sub Divisional Officer, Prohibition & Excise,
Mancherial , Adilabad District
3 Toddy Tappers Cooperative Society Bellampally
rep.by its President Bellampally,

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction particularly one in the nature of writ of Mandamus declaring the action of the Respondent in not conducting the Tree Tapping Test to the members of the petitioner society as per the 2nd Respondent's communication No.A1/14/2004, dt. 07/09/2004 as illegal, arbitrary and unjust; and consequently direct the Respondent to conduct Tree Tapping Test to the members of the petitioner society and enrol them as members of the 3rd Respondent society, in the interest of Justice.

Counsel for the Petitioner: MR.J.SIDDAIAH

Counsel for the Respondent No.: GP FOR PROHIBITION & EXCISE

The Court at the stage of admission made the following :

ORDER:

This writ petition is filed seeking to declare the alleged action of the respondents in not conducting the tree tapping test to the members of the petitioner-society, as arbitrary and illegal.

In the affidavit filed in support of the writ petition, it is stated that in pursuance of the request made by the members of the petitioner Sangham to enroll them as Members of the 3rd respondent Society, the second respondent-Sub Divisional Officer, Prohibition and Excise, Mancherial, Adilabad District, proposed to conduct an enquiry and accordingly issued a notice, dated 07.09.2004 calling upon the members of the petitioner-society to appear for the tree tapping test scheduled to be conducted on 17.09.2004. It is further stated that though the members of the petitioner-society appeared before the second respondent on 17.09.2004, for the reasons best known to them the test was not conducted. It is alleged that no further date has been fixed for conducting the test and due to the inaction on the part of the respondents 1 and 2, the members of the petitioner-society are deprived of their livelihood and put to

undue hardship. Hence, this writ petition.

Having heard the learned counsel for the petitioner and the learned Government Pleader appearing for the respondents and on a perusal of the material on record, the writ petition is disposed of granting liberty to the petitioner-society to make a representation before the respondents 1 and 2 requesting to conduct the tapping test at the earliest, in which event, the same shall be considered and appropriate orders be passed as expeditiously as possible, preferably within a period of two weeks from the date of receipt of such application.

Accordingly, the writ petition is disposed of. No costs.

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08-11-2004

Note: Issue C.C. by tomorrow

B/o

klp

To

1 The Superintendent Excise& Prohibition
Adilabad.
2 Sub Divisional Officer, Prohibition & Excise,
Mancherial , Adilabad District
3 The President, Toddy Tappers Cooperative Society Bellampally
Bellampally,

4. 2CCs to G.P. for Prohibition and Excise, High Court buildings,

Hyderabad.(OUT).

5. 2CD copies